

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BRIDGESTONE SPORTS CO., LTD.,)	
and BRIDGESTONE GOLF, INC.,)	
)	
Plaintiffs,)	C.A. No. 05-132 (JJF)
)	
v.)	
)	
ACUSHNET COMPANY,)	
)	
Defendant.)	

**BRIDGESTONE’S MOTION TO PRECLUDE ACUSHNET’S USE OF
UNTIMELY DISCLOSED PRIOR ART REFERENCES**

Pursuant to Federal Rule of Civil Procedure 37(c)(1), Bridgestone Sports Co., Ltd. and Bridgestone Golf, Inc. (“Bridgestone”) move for an Order precluding Acushnet Company (“Acushnet”) from relying on invalidity contentions that it failed to disclose before the close of fact discovery and in violation of this Court’s August 3, 2006 Order (D.I. 154 at ¶3). Specifically, Bridgestone seeks to preclude Acushnet from relying on the Altus Newing Massy golf ball and U.S. Patent Nos. 5,779,563; 5,872,185; 5,967,908; 6,174,247 and 6,267,694, which Acushnet first disclosed on December 14, 2006. The grounds for this motion are set forth in Bridgestone’s opening brief, submitted herewith.

Pursuant to D. Del. LR 7.1.1, the undersigned certifies that the subject of this motion has been discussed with counsel for Acushnet, and that the parties have not been able to reach agreement thereon.

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January 3, 2007

CERTIFICATE OF SERVICE

I, Leslie A. Polizoti, hereby certify that on January 3, 2007 I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

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and that I caused copies to be served upon the following in the manner indicated:

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